

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62087 of 2024

Arising Out of PS. Case No.-235 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

1. Sunil Kumar Mishra Son of Munilal Mishra Resident of Village -Mauza Bishunpur, Vasant @ Shubhai Tola, Jamalpur, PS- Hajipur Sadar, Distt.- Vaishali
2. Dinbandhu Mishra Son of Late Charitra Mishra Resident of Village -Mauza Bishunpur, Vasant @ Shubhai Tola, Jamalpur, PS- Hajipur Sadar, Distt.- Vaishali
3. Shiv Kumar Mishra Son of Vinayak Mishra Resident of Village -Mauza Bishunpur, Vasant @ Shubhai Tola, Jamalpur, PS- Hajipur Sadar, Distt.- Vaishali
4. Chandan Kumar Mishra @ Chandan Kumar Jha Son of Binda Mishra Resident of Village -Mauza Bishunpur, Vasant @ Shubhai Tola, Jamalpur, PS- Hajipur Sadar, Distt.- Vaishali
5. Vinayak Mishra Son of Late Charitra Mishra Resident of Village -Mauza Bishunpur, Vasant @ Shubhai Tola, Jamalpur, PS- Hajipur Sadar, Distt.- Vaishali
6. Naval Kishor Mishra Son of Vinayak Mishra Resident of Village -Mauza Bishunpur, Vasant @ Shubhai Tola, Jamalpur, PS- Hajipur Sadar, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-09-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 342, 323, 324, 307, 379, 427, 504, 506/34 of the Indian Penal Code.

3. Prosecution case, in brief, is that all the F.I.R.



named accused persons, including these petitioners, came and started destroying the crops of informant. When informant and his family members protested, they were abused and assaulted by means of *gadasa*, fists, kicks and slaps as a result of which they sustained injuries. It is further alleged that one co-accused snatched *mangalsutra* and earrings from the daughter-in-law of informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. As a matter of fact, the alleged incident is result of long standing dispute over land. Allegation of assault is general and omnibus and there is no allegation of specific overt act against these petitioners. Injuries allegedly caused by these petitioners are simple in nature.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of Chief Judicial Magistrate,
Vaishali at Hajipur in connection with Hajipur Sadar P. S. Case
No. 235 of 2024, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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